

ARUN DISTRICT COUNCIL

REPORT TO CABINET ON 16 NOVEMBER 2020

SUBJECT: ESTABLISHMENT OF A PLANING REVIEW WORKING PARTY

REPORT AUTHOR: Nigel Lynn, Chief Executive

DATE: 3 November 2020

EXTN: 37600

PORTFOLIO AREA: Planning

EXECUTIVE SUMMARY: This report seeks the Cabinet's permission to establish a cross-party Working Party to consider the recommendations from the forthcoming presentation on the Planning Review by Sean Hannaby (of Hannaby Planning Solutions Ltd) which will take place shortly.

RECOMMENDATIONS:

Cabinet is requested to resolve to:

- (1) support the establishment of a Planning Review Working Party based on the following terms:
 - (a) Terms of Reference – to consider the findings and examine the recommendations from the Planning Review (when presented) so that the Council can agree which recommendations it wants to accept and establish a monitoring process to ensure that recommendations are followed through. The Working Party will report to Cabinet, who will report to Full Council;
 - (b) Size of the Working Party – the seats on this Working Party will be politically balanced and 7 in size (2/LD, 2/Cons, 1/Ind, 1/AI, 1/G).
 - (c) Nominations to the seats – to be confirmed by the relevant Group Leaders immediately if the proposal is accepted by Cabinet;
 - (d) Proposals for the allocation of seats if vacancies occur – to be for the relevant Group Leader to fill the vacant seat and report this information to the next Full Council meeting;
 - (e) Timescale for the work to be undertaken – over the next few months following receipt of the forthcoming presentation and publication of the report (establishing the Working Party now means that the Council will be ready to conduct this work speedily); and
 - (f) To report back to Cabinet as soon as possible to enable the Council to progress with any recommendations it supports.

(2) If established, the Working Party can then:

- (a) Review its terms of reference at its first meeting and recommend any change back to Cabinet;
- (b) Make any recommendations to Cabinet based on the terms of reference – it will have no decision-making authority; and
- (c) Meet in private unless it agrees that it will work to the Meeting Procedure Rules at Part 5 of the Council's Constitution.

1. BACKGROUND:

- 1.1 The Planning Review was determined necessary (late in 2019) following a number of issues that arose in various Development Control Committee meetings in 2019. It was agreed by the (then) four Group Leaders that the Council needed to review how it approached Planning as a whole.
- 1.2 It was agreed that the review would focus on **People** (leadership/management, relationships, staff structures and resources), **Performance** (quality, consistency and speed of decision-making), **Procedures** (efficiency and effectiveness) and **the Development Control Committee** itself (relationships, effectiveness, decision-making and procedures).
- 1.3 As part of the review, it was agreed that an Improvement Plan would also be drawn up to identify what improvements were necessary and the recommendations to tackle them. A Member and Officer Training Plan was also requested.
- 1.4 This approach was also agreed by the Portfolio Holder for Planning and the Chairman of the Development Control Committee.
- 1.5 In February 2020, Sean Hannaby, of Hannaby Planning Solutions Ltd was appointed to undertake this work. Unfortunately, the Coronavirus has not only slowed progress on this review, but it also hampered the originally intended process. However, a robust process of interviews, observations and desktop analysis has fed into the review process. A number of written observations by Members and Officers have also formed part of the review.
- 1.6 It was also agreed that the review would be reported to members through a presentation.
- 1.7 The aim of the review will be to learn from the experience and advice of independent experts. The Council may not accept all the findings, but it will need to examine each of the recommendations that may come forward from this review. The four Group Leaders have proposed the way they would like to see the report progress, through to the final report being publicly available.
- 1.8 It has already been agreed that there will be a private presentation by Sean Hannaby on his findings to Members, and Officers, separately and this is being organised as quickly as possible. Due to Covid-19 restrictions, this will be via Zoom. The suggested audience, to make this manageable, will be the Development Control Committee, their regular substitutes, Cabinet and Group

Leaders. This presentation, with its anticipated Question and Answer session, will be recorded and then circulated to all Members.

- 1.9 Group Leaders proposed a politically balanced Member Working Party be set up to consider the recommendations of the report, to meet in private. The CEO has discussed the matter with the Interim Monitoring Officer. To keep the Working Party to a manageable size, and to enable it to meet as soon as the presentation is received, a number of 7 Members is proposed (2 Liberal Democrat, 2 Conservative, 1 Independent, 1 Green and 1 Arun Independent). Group Leaders will need to consider whether it is an advantage to have a representative who is also a member of Development Control Committee (knowledge of the planning process) OR a disadvantage (scrutinising themselves).
- 1.10 Group Leaders also proposed that the Working Party reports its recommendations to Cabinet, in public, and then Full Council, also in public.
- 1.11 Should the recommendations be supported by Full Council, a monitoring process will then be set up to ensure these recommendations are followed through, reporting to the Council's Overview and Scrutiny Committee (in the current governance arrangements for 2020/21) and then the Council's Audit and Governance Committee (in the post May 2021 governance arrangements, for 2021/22 and beyond).
- 1.12 In order to progress matters as soon as the presentation from Sean Hannaby has been received, the establishment of a politically balanced and small (7) Cabinet Working Party is suggested. This would meet in private, but its recommendations would be fed into Cabinet (and then Council) in public.
- 1.13 It is felt prudent to establish this Working Party now in readiness of the presentation (as a date is being determined as soon as possible).

2. PROPOSAL(S):

Cabinet is requested to approve the establishment of a new Working Party to consider the Planning Review findings.

3. OPTIONS:

Not to support the actions taken.

4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		X
Relevant District Ward Councillors		X
Other groups/persons (please specify) - Cabinet	✓	

**5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES:
(Explain in more detail at 6 below)**

YES	NO

Financial	✓	
Legal		X
Human Rights/Equality Impact Assessment		
Community Safety including Section 17 of Crime & Disorder Act		X
Sustainability		X
Asset Management/Property/Land		X
Technology		X
Other (please explain)		

6. IMPLICATIONS:

To consider the findings and examine the recommendations from the Planning Review (when presented) so that the Council can agree which recommendations it wants to accept and establish a monitoring process to ensure that recommendations are followed through.

7. REASON FOR THE DECISION:

To ask Cabinet to support the establishment of a Working Party which will review the recommendations contained within the Planning Review report shortly to be published.

8 EFFECTIVE DATE OF THE DECISION: 25 November 2020

9. BACKGROUND PAPERS:

None